

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LARRY WILLIAMS,

Plaintiff,

vs

9:06-CV-1104

DON SCHULTZ, Police Department Officer,

Defendant.

APPEARANCES:

OF COUNSEL:

LARRY WILLIAMS
Plaintiff, Pro Se
403 Ellis Street
Syracuse, NY 13210

CORPORATION COUNSEL
City of Syracuse
Attorney for Defendant
Room 301, City Hall
233 East Washington Street
Syracuse, NY 13202

MARY ANNE DOHERTY, ESQ.

DAVID N. HURD
United States District Judge

ORDER

Plaintiff, Larry Williams, brought this civil rights action pursuant to 42 U.S.C. § 1983. In a Report Recommendation dated September 22, 2008, the Honorable George H. Lowe, United States Magistrate Judge, recommended that plaintiff's motion for summary judgment (Docket No. 25) be denied, and that his equal protection claim be *sua sponte* dismissed; and that defendant's cross-motion for summary judgment be granted; and that plaintiff's false arrest and false imprisonment claims be dismissed. The plaintiff has filed timely objections to the Report Recommendation.

Based upon a de novo review of the portions of the Report-Recommendation to which the plaintiff has objected, the Report-Recommendation is accepted and adopted. See 28 U.S.C. 636(b)(1).


Accordingly, it is

ORDERED that

1. Plaintiff's motion for summary judgment is DENIED;
2. Plaintiff's equal protection claim is DISMISSED;
3. Defendant's cross-motion for summary judgment is GRANTED;
4. Plaintiff's false arrest and false imprisonment claims are DISMISSED; and
5. The complaint is DISMISSED.

The Clerk is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.


United States District Judge

Dated: October 16, 2008
Utica, New York.